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Subject: ADEC Information for Donlin EIS Agency Scoping Meeting

Attachments: Donlin Cooperating Agency Meeting Information.docx

Don & Taylor-

Attached in MS Word format is a two-page overview from the Alaska Department of Environmental Conservation (ADEC) for this afternoon's cooperating agency meeting. I will be putting this document on a flash drive and hopefully we will be able to project it on a screen at the meeting. I also wanted to be sure that all the folks that were dialing it had a copy so they could follow along.

Alaska Department of Environmental Conservation

Responsible for protecting human health and the environment

- Develop regulatory standards and other requirements for protection of human health and the environment
- Issue permits and other authorizations for emissions, discharges, and disposal and monitor compliance with those authorizations
- Oversee oil discharge prevention and contingency planning
- Conduct oil spill drills to lower the probability and severity of spills
- Monitor and report on the quality of the environment and changes that could impact human health
- Educate and assist the public, communities, businesses and industry on all forms of environmental matters
- Work with federal agency counterparts at the Environmental Protection Agency (EPA), Corp of Engineers, Bureau of Land Management (BLM) Pipeline and Hazardous Materials Safety Administration (PHMSA) and others on federal environmental law and how it is applied in Alaska.
- Investigate violations and enforce state environmental law

The National Environmental Policy Act (NEPA) (42 U.S.C. 4321-4347) does not require protection of the environment. NEPA simply requires agencies to consider and inform the public and the decision makers. It is the other laws and regulations that lead to protective standards for the environment.

“Other statutes may impose substantial environmental obligations on federal agencies, but NEPA merely prohibits uninformed – rather than unwise – decisions.” [Robertson v. Methow Valley Citizens Council- 1989]

Federal Law

- Clean Water Act (Section 404, 402, 401) – 33 U.S.C. 1251 et seq
- Clean Air Act (Section 309) 42 U.S.C. 7401 et seq
- Oil Pollution Act of 1990 – 33 U.S.C. 2701-2761
- Endangered Species Act (16 U.S.C. 1531 et seq)/ Essential Fish Habitat
- Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), Resource Conservation and Recovery Act (RCRA)
- National Historic Preservation Act (NHPA)

Alaska Law

- AS 46.03 - Environmental Conservation
- AS 46.04 - Oil and Hazardous Substances Pollution Control
- AS 46.14 - Air Quality Control
- AS 17.20 – Alaska Food, Drug and Cosmetic Act
- 18 AAC 30 – Environmental Sanitation
- 18 AAC 31 – Alaska Food Code
- 18 AAC 50 – Air Quality Control
- 18 AAC 60 – Solid Waste Management
- 18 AAC 62 – Hazardous Waste
- 18 AAC 70 – Water Quality Standards
- 18 AAC 75 – Oil and Hazardous Substances Pollution Control

PERMITTING AUTHORITY	NEPA ANALYSIS
Air Emissions	Air Emissions – Total for Entire Project
Construction Permits – Power Plant	Pipeline Project Emissions
Operating Permits – Power Plant	Construction Emissions
	Operations Emissions
	Mine Project Emissions
	Construction Emissions
	Operations Emissions-
	Port Project Emissions
	Construction Emissions
	Operations Emissions
Open Burn Permits – Land Clearing	Greenhouse Gas Emissions
Wastewater Discharges / Water Quality	Wastewater Discharges / Water Quality
Mine Tailings Facility Discharge Permit	Mine Tailings Facility Discharges
Wastewater Treatment and Disposal Permit	Mine Processing Facility Discharges
Domestic Wastewater Permit (Camp)	Domestic Wastewater Permit (Camp)
Domestic Wastewater Permit (Construction)	Domestic Wastewater Permit (Construction)
Stormwater Program General Permit	Pipeline Construction Stormwater Discharges
Hydrostatic Test Water Discharge (pipeline)	
Water Quality Certification of Fill Permit	Section 404 Permit – Wetlands Permit
Water Quality Monitoring Plan Approval	
Quality Assurance Project Plan	
Solid Waste	Solid Waste
Industrial Waste Monofill Solid Waste Permit	Mine Tailings Plan
Integrated Waste Management Permit	Reclamation and Closure Plan
Proof of Financial Responsibility (in consultation with DNR)	Post Closure Monitoring
Reclamation and Closure Plan	
Spill Prevention and Response	Spill Prevention and Response
Fuel Storage Tank Authorizations	Fuel Storage/Transport
Fuel Transport Vessel Spill Response Plans	Effect of potential fuel spills on land and water
Environmental Health	Environmental Health
Drinking Water System Permit	Effect of population increases on local drinking water systems
Food Service Permit	Mercury issues
Contaminated Sites	Contaminated Sites